

## REMARKS

**A. Claim 12 rejected under 35 USC 112, second paragraph.**

Claim 12 is amended to provide a basis for the parachute harness. Support for the harness is found in the specification at page 3, line 1.

**B. Claim 18 rejected under 35 USC 103(a) as unpatentable over Piri et al.**

Claim 18 is amended to specify that activation of the remote unit upon parachute deployment results in transmission of "navigational information." The phrase "navigational information" finds support in the applicants' specification at page 3, lines 6-12, where typical sources of navigational information for the applicants' self-contained, self-locating alarm system remote unit are outlined. The navigational information is not limited to GPS.

This amendment does not raise a new issue or require a new search. A search that included "navigational information," as defined by the applicants, was made previously with respect to claims 1 – 14, which all include a limitation to "navigational information."

The Piri PLB depends for location functionality on "DF and ID Rx" (direction finding and identification receiver) located elsewhere in the system (col. 9, lines 44-60). Use of GPS in Piri's "system" for "absolute positioning" is mentioned near the end of the Abstract, but no details are provided as to how GPS might be used in Piri's "DF and ID Rx" or elsewhere. More discussion of GPS (col. 9, lines 60-67) indicates that "other applications may require some of the benefits GPS provides and GPS circuitry . . . may be incorporated into either the PLB 101 or the DF & ID Rx 102, or both." The person of ordinary skill is provided no guidance as to what "benefits" that GPS provides are to be employed, and is left to infer, at best, that placement of GPS circuitry within the PLB is for the purpose of providing location information for transmission to a base station rather than for obtaining time-of-day information. But the suggestion that GPS circuitry be located alternatively at the base station would appear to teach away even from that inference, so the person of ordinary skill is left with little guidance in this matter.

The applicants claim more broadly than GPS, and therefore the rejection is improper. The applicants respectfully request that the rejection be withdrawn and the claim allowed as amended.

**C. Claim 11 rejected under 35 USC 103(a) as unpatentable over Piri et al. in view of Hoffman et al.**

Claim 11 is amended only to clarify that location information is displayed. The applicants traverse the substantive rejection based on the following remarks and the existing record.

Claim 11 is directed to a base station for receiving navigational information transmitted by an alarm system remote unit equipped parachute. Piri does not teach or suggest a transmitter for transmitting navigational information as that term is defined by the applicants (Specification at page 3, lines 6-12). Nor does Hoffman teach or suggest a base station capable of receiving anything transmitted by the Piri PLB. Piri and Hoffman are incompatible and each must be extensively modified to provide the structure of the applicants' claim 11 (Rule 132 declaration of William B. Baringer). Nothing in either Piri or Hoffman provides a motivation to make the necessary modifications. Such motivation must be found, if at all, in the teaching of the applicants' claim 11—an improper use of hindsight. Likewise, to argue that the motivation to modify arises out of a need to solve the problem is improper use of hindsight.

The applicants claim more broadly than Piri or Hoffman suggest. The references are improperly combined and the applicants respectfully request that the rejection be withdrawn and the original claim be allowed.

**D. Claims 1 – 10, 12, 14 rejected under 35 USC 103(a) as unpatentable over Piri et al. in view of Penny, Jr. et al.**

**Claim 1**

Claim 1 is not amended. The applicants traverse this rejection based upon the following remarks and the existing record.

Neither Piri nor Penny teach or suggest use of a navigational receiver as that term is broadly defined in the applicants' specification at page 3, lines 6-12. At best

each reference suggests or teaches use of GPS only (Rule 132 declaration of William B. Baringer).

The applicants claim more broadly than the combined prior art suggests to a person of ordinary skill, and thus the references are improperly applied to the subject matter of claim 1. The applicants respectfully request that the rejection be withdrawn and the claim allowed.

#### Claims 2 and 3

Claims 2 and 3 not amended. The applicants traverse this rejection based upon the following remarks and the existing record.

The applicants respectfully disagree with the Examiner's interpretation of Penny, col. 6, lines 55-59 (or any other part of Penny) as suggesting voice activation of transmission. A more careful reading of the cited paragraph suggests that only the "panic" button is used to initiate transmission. A "speaker" and a "display", for example, do not provide means for initiating transmission. There appears to be no reason to read the microphone, which precedes both the speaker and the display, as initiating transmission upon voice command or excited utterance (Rule 132 declaration of William B. Baringer). Thus, the references are improperly combined for the stated purpose with respect to claim 2 and voice activation.

And more generally with respect to both claims 2 and 3, each claim depends directly from claim 1 and thus includes the limitation "navigational information" as that term has been defined by the applicants (specification at page 3, lines 6-12). Neither Piri nor Penny suggest anything beyond GPS. Thus the references are improperly combined for this purpose, and the applicants respectfully request the rejections be withdrawn and that claims 2 and 3 be allowed.

#### Claim 4

Claim 4 is not amended. The applicants traverse this rejection based upon the following remarks and the existing record.

The applicants rely upon their remarks above with respect to claim 1 for the proposition that the references are improperly combined and applied to a remote unit that transmits "navigational information." The applicants respectfully request that the rejection be withdrawn and the claim allowed.

### Claims 5 – 7

Claims 5 – 7 are not amended. The applicants traverse this rejection based upon the following remarks and the existing record.

Claim 5 limits the navigational receiver to a “wireless assisted GPS” receiver. In wireless assisted GPS, the communication link (cellular, PCS, or otherwise) is used to transfer information between the handset and the network/base station. There's not a hint of wireless assisted GPS in Penny (Rule 132 declaration of William B. Baringer). This technology was not available to a person of ordinary skill in the art at the time of Penny.

For these reasons, the references are improperly combined and the rejection is invalid. The applicants respectfully request that the rejection of claim 5 be withdrawn and the claim allowed.

Claim 6 limits the navigational receiver to a “hybrid GPS” receiver. Hybrid GPS is not “commonly known as satellites networking for position error correction” (Examiner's remark in Office action). Hybrid GPS systems are capable of receiving signals from satellites and/or ground-based transmitters in order to determine a first position. Penny does not teach or suggest hybrid GPS technology, as that phrase is generally understood by those having an ordinary level of skill in the art (Rule 132 declaration of William B. Baringer).

For these reasons, the references are improperly combined and the rejection is invalid. The applicants respectfully request that the rejection of claim 6 be withdrawn and the claim allowed.

Claim 7 is canceled.

### Claim 8

Claim 8 is amended only to correct dependency. The applicants traverse the substantive rejection based upon the following remarks and the existing record.

The phrase “demodulated GPS data” as used in this application and in claim 8 has a meaning that was established during the prosecution of US Patent Application, Serial No. 09/325,030, filed June 3, 1999 (now US 6,198,390). The present application is part of a chain of overlapping applications claiming priority from a date preceding June 3, 1999 and including Application S/N 09/325,030 (see the first paragraph of the

specification of this present application). In the claim 8 embodiment, the remote unit does not complete a determination of geo-location. Instead, it transmits intermediate navigational information to another part of the system along with a precise time-of-day. The final determination of geo-location is completed outside the remote unit (typically in a base station, though it may be done elsewhere in the system outside the remote unit) using the transmitted intermediate navigational information and the transmitted precise time-of-day.

Penny does not teach or suggest such a method for determining geo-location using GPS. Therefore, the references are improperly combined. The applicants respectfully request that this rejection be withdrawn and that the claim be allowed.

#### Claim 9

Claim 9 is amended only to correct dependency. The applicants traverse the substantive rejection based upon the following remarks and the existing record.

In claim 9 a navigational receiver provides "calculated time delay of arrival location information." The applicants respectfully disagree with the Examiner's characterization of the Penny reference which does not teach or suggest use of "calculated time delay of arrival location information."

Therefore, the references are improperly combined, and the applicants request that this rejection be withdrawn and that claim 9 be allowed.

#### Claim 10

Claim 10 is not amended. The applicants traverse this rejection based upon the following remarks and the existing record.

Claim 10 depends from claim 1 and thus includes a radio transmitter for transmitting "navigational information," as that phrase is defined by the applicants (Specification at page 3, lines 6-12). Claim 10 limits the radio transmitter to one of a cellular telephone, a PCS telephone, a satellite telephone and a wireless telephone.

Penny transmits GPS-derived geo-coordinates (lat/long), but neither teaches nor suggests the sources of navigational information claimed by the applicants. Thus the applicants claim more broadly than the combined references would allow. The references are improperly combined, and the rejection should be withdrawn and the claim allowed.

#### Claim 12

Claim 12 is amended only to provide support for the parachute harness. The rejection under 35 103(a) is traversed based upon the following remarks and the existing record.

Again, claim 12 depends from claim 1 and thus is claimed more broadly than the combined references would allow. The references are improperly combined and the rejection should be withdrawn and the claim allowed.

#### Claim 14

Claim 14 is not amended. The applicants traverse this rejection based upon the following remarks and the existing record.

Claim 14 depends from claim 1 and thus is claimed more broadly than the combined references would allow. The references are improperly combined and the rejection should be withdrawn and the claim allowed.

**E. Claim 13 rejected under 35 USC 103(a) as unpatentable over Piri et al. in view of Penny, Jr. et al., and further in view of Mohan.**

Claim 13 is not amended. The applicants traverse this rejection based upon the following remarks and the existing record.

Claim 13 depends from claim 1 and thus is claimed more broadly than the combined references would allow. Mohan does not teach or suggest the transmission of navigational information from the broadly defined navigational sources claimed by the applicants. The references are improperly combined and the rejection should be withdrawn and the claim allowed.

**F. Claims 15 – 17 rejected under 35 USC 103(a) as unpatentable over Friddle, II et al. in view of Piri et al.**

#### Claim 15

Claim 15 is not amended. The applicants traverse this rejection based upon the following remarks and the existing record.

The applicants have defined the meaning of the phrase "self-contained, self-locating personal alarm system remote unit" by their claim 1 and the phrase "navigational information" in their specification at page 3, lines 6-12. None of the prior art cited by the Examiner teaches or suggests the sources of navigational information claimed by the applicants. Therefore, the cited references are improperly combined and the rejection should be withdrawn and the claim allowed.

#### Claims 16 and 17

Claims 16 and 17 are not amended. The applicants traverse this rejection based upon the following remarks and the existing record.

The applicants rely upon their remarks above with respect to claim 15, from which claims 16 and 17 depend. The applicants respectfully request that the rejection be withdrawn and the claims allowed.

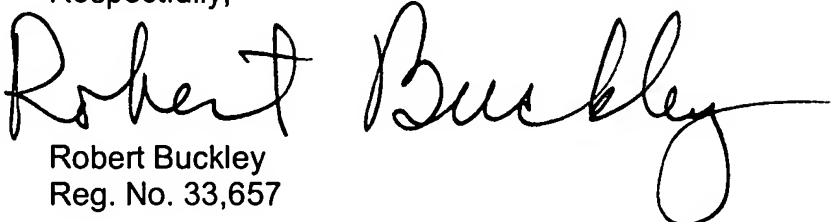
#### **G. Prior art cited but not relied upon.**

The applicants have considered the prior art cited but not relied upon. In particular, Schlager et al. (US 5,963,130) is not prior art (see the first paragraph of the applicants' specification). The applicants request that the official record be corrected to remove the prior art citation to US 5,963,130.

#### **Conclusion**

The applicants have amended their claims and have traversed some rejections in a good-faith effort to advance this application to an allowance. They request that their amended claims and remarks be reconsidered and that their application be re-examined.

Respectfully,

  
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